

**David Hinojosa**

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**From:** Stacy Castillo <scastillo@wabsa.com>  
**Sent:** Wednesday, November 06, 2013 2:53 PM  
**To:** David Hinojosa; Craig Wood  
**Cc:** Ernest Herrera; Renee Robinson; Erika Fierro  
**Subject:** RE: Uvalde Review of Documents

We plan to have them to you by next Friday. As we have explained to you, although this is an old case and you have been working on it for years, the District has new counsel on this case as well as entirely new central office staff working on it. This case is entirely new to most of the central office working on the case, especially the new Superintendent. The person previously in charge of Consent Decree compliance as well as the previous Superintendent and Assistant Superintendent no longer work for the District and did not leave much in terms of guidance on documents previously produced. Moreover, the District has been without a Human Resources Director for a while now, which has hampered the efficiency in gathering documents. Please know that the District, while short-staffed, is working diligently on the discovery responses and will have them to you next week.

Because the District employees who participated in drafting the terms of the Consent Decree are no longer at the District, we are having some difficulty understanding some of the terms. Due to this difficulty, some of the folders you referenced in your prior email were empty. We would appreciate clarification from you on the following:

(From the Consent Decree)

Ex. A #6b – what does the reference to “benchmarks for ELL students, including ....participation in GT..AP..[and] dual credit” mean? Is this simply a reference to a specific goal of the number of ELL students enrolled in GT, AP, and dual credit? We are trying to figure out how you benchmark participation in programs.

Ex. A #7b – what does the reference to “evaluation reports on implementation of District Improvement Plans and Campus Improvement Plans” mean? Does it mean the District itself should perform a self-evaluation of its implementation of its own plans or did the parties contemplate the District’s hiring of an outside consultant?

Ex. A #8c – It is unclear what this item means or how to comply with it. #8c refers to conducting classroom observations of ESL computer labs. In school law parlance a “classroom observation” means an administrator performs an written observation of the teacher’s performance. However, in computer lab, the instruction is typically self-directed with the student using the individual computer program. We are unsure what item #8c means since there is typically no active, ongoing teacher instruction in computer lab to observe.

Ex. A #10d – “Provide a summary of Professional Development and Appraisal System concerning ELPS.” We do not understand what this means. Please explain. PDAS does not have a section specially on ELPS.

Ex. A #13a/b – Please clarify this section. What does it mean to use performance data in classroom observations? Did the parties intend to change the typical classroom observation forms? Or for the administrator to bring ELL students data to each classroom observation? Please clarify the intent and meaning behind this section.



**Stacy Castillo**  
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**From:** David Hinojosa [mailto:dhinojosa@MALDEF.org]  
**Sent:** Tuesday, November 05, 2013 10:40 AM  
**To:** Stacy Castillo; Craig Wood  
**Cc:** Ernest Herrera; Renee Robinson; Erika Fierro  
**Subject:** RE: Uvalde Review of Documents

Thank you Stacy. Can you give us a more specific date when we can expect to receive the documents and the amended responses? We have waited over two months to receive many of the documents requested and as I mentioned during the visit last week, we were very disappointed that the district produced many empty folders that day and that we were essentially starting from ground zero on many of the requests.

David G. Hinojosa  
Southwest Regional Counsel  
MALDEF

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**From:** Stacy Castillo [mailto:scastillo@wabsa.com]  
**Sent:** Tuesday, November 05, 2013 10:01 AM  
**To:** David Hinojosa; Craig Wood  
**Cc:** Ernest Herrera; Renee Robinson; Erika Fierro  
**Subject:** RE: Uvalde Review of Documents

David-

To follow up and keep you updated, we are still gathering and reviewing documents responsive to your requests. As you are aware, this is time and labor intensive with voluminous documents involved. I will be out of state the remainder of this week, and Craig is tied up with hearings. We plan to have the documents and responses to you later next week.

Sincerely,

**Stacy Castillo**  
Attorney at Law

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**From:** David Hinojosa [mailto:dhinojosa@MALDEF.org]  
**Sent:** Tuesday, October 22, 2013 5:05 PM  
**To:** Craig Wood  
**Cc:** Ernest Herrera; Renee Robinson; Erika Fierro; Stacy Castillo  
**Subject:** RE: Uvalde Review of Documents

Craig:

I just wanted to follow up on our conversation earlier today about the outstanding discovery. We explained to you more specifically the timeframe we were looking for and the types of documents that were included in the request to address your client's concerns. We also sent you the protective order entered by the Court in this case to alleviate your clients' concerns related to privacy/confidentiality issues.

We are waiting to receive dates from you when we can expect to receive copies of the documents. Please let us know as soon as possible. Thank you.

Sincerely,

David G. Hinojosa  
Southwest Regional Counsel  
MALDEF

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**From:** David Hinojosa  
**Sent:** Monday, October 21, 2013 2:00 PM  
**To:** 'Craig Wood'  
**Cc:** Ernest Herrera; 'Renee Robinson'; 'Erika Fierro'; 'Stacy Castillo'  
**Subject:** RE: Uvalde Review of Documents

Craig:

I left a message with your office at 1:30pm today. Attached is a copy of the stipulation and PO that was filed earlier in this case that should address some of your confidentiality/privacy objections. Please return my call between 2:30-3:00pm today or let me know a time that you are available to talk tomorrow after 9:00am. Thank you,

David G. Hinojosa  
Southwest Regional Counsel  
MALDEF

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**From:** David Hinojosa  
**Sent:** Monday, October 21, 2013 11:34 AM  
**To:** 'Craig Wood'  
**Cc:** Ernest Herrera; Renee Robinson; Erika Fierro; Stacy Castillo  
**Subject:** RE: Uvalde Review of Documents

I will circle back with you at 1:30pm today. Thank you,

David G. Hinojosa  
Southwest Regional Counsel  
MALDEF

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**From:** Craig Wood [<mailto:cwood@wabsa.com>]  
**Sent:** Friday, October 18, 2013 3:29 PM  
**To:** David Hinojosa  
**Cc:** Ernest Herrera; Renee Robinson; Erika Fierro; Stacy Castillo  
**Subject:** RE: Uvalde Review of Documents

Please give me a call so that we can discuss the scope of some of these items. I left a message on your phone earlier. Thanks.

Craig

**Craig Wood**  
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**From:** David Hinojosa [<mailto:dhinojosa@MALDEF.org>]  
**Sent:** Friday, October 18, 2013 8:39 AM  
**To:** Craig Wood  
**Cc:** Ernest Herrera  
**Subject:** Uvalde Review of Documents

Good Morning Craig:

I am following up on a request to review discovery documents for the *Morales v. Shannon* case (Uvalde CISD school desegregation). I understand that you were not able to make the documents available for review today and that you are uncertain that the documents will be available next Wednesday.

As you may recall, when you delivered the District's discovery responses approximately 6-7 weeks ago, you represented that the documents not produced were available at your offices for review by Plaintiff's counsel. Because of other case commitments, we would appreciate your sincerest efforts in making available the documents available for review next Wednesday, October 23 at 9:00am. If your client is unable to produce the documents that day, please provide us the specific reasons why the documents cannot be made available and provide us the earliest dates possible when the documents will be made available.

I am also following up on our letter dated July 29 regarding the District's failure to produce full and accurate information in the Annual Report. My secretary informed me that your office indicated to her this past week that most of the information would be forthcoming in the District's Board Report. Please advise us of the status of the District's response to that letter.

As I mentioned previously in at least two conversations, among our client's chief concerns with the District has been the District's perceived failure to prioritize its obligations due to the class of Mexican American students under the Court's orders. It appears that these actions are not changing course and our client is increasingly frustrated at the lack of commitment. I only mention this to remind you so that you may perhaps put your client on notice of impending action my client may seek to enforce the court's orders.

Thank you for your immediate attention.

Sincerely,

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